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**ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY  
AIR QUALITY CLASS I PERMIT**

**COMPANY:** *Copper State Recycling, Inc.*  
**FACILITY:** *Copper Mountain Landfill*  
**PERMIT #:** *1000734*  
**DATE ISSUED:** *DRAFT PERMIT*  
**EXPIRY DATE:**

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**SUMMARY**

This operating permit is issued to Copper State Recycling, Inc., a subsidiary of USA Waste Services, Inc., for operation of the Copper Mountain landfill, located approximately 36 miles east of Yuma, Arizona at Avenue 35E and Count 12th Street, Yuma County (near Wellton), Arizona.

Copper State Recycling, Inc., operates the Copper Mountain Landfill (CML), an active solid waste landfill that accepts residual waste and commercial waste, auto shredder fluff, dried waste water treatment plant sludge and non hazardous petroleum contaminated soils. Asbestos contained material (ACM) is also accepted at CML where it will be deposited in a dedicated cell. The primary activities of CML are the transportation of refuse, deposition of refuse, excavation and stockpiling of cover material and soil.

The natural decomposition of the waste materials, and to some extent the evaporation of volatile organic compounds (VOCs) from the waste materials, constitute the primary sources of emissions. The landfill gas (LFG) that is emitted from the landfill is approximately 50 percent methane (CH<sub>4</sub>) and 50 percent carbon dioxide (CO<sub>2</sub>), with a fraction containing non methane organic compounds (NMOCs), and hazardous air pollutants (HAPs). Particulate emissions due to traffic on unpaved roads, application of a cover layer of soil, soil stockpiling, cover layer distribution, and wind erosion make up a significant amount of PM<sub>10</sub> pollution.

Leachate is collected from the cell that is receiving refuse and is transmitted to an on-site evaporation pond. Leachate is generated by precipitation or other moisture which permeates through the waste material in place and is contained by a subsurface leachate collection and recovery system. The leachate is collected using two electric pumps and directed to an evaporation pond.

Copper Mountain Landfill is subject to a number of regulatory requirements; the primary requirements consist of the following:

- ! New Source Performance Standards (40 CFR §60 Subpart WWW) apply to all landfills that started construction, modification, or began initial waste acceptance on or after May 30, 1991. Municipal Solid Waste landfills that meet the above criteria and exceed the maximum design capacity of 2.5 million megagrams (Mg) must evaluate the amount of NMOCs that is emitted on a megagram per year basis.
- ! National Emission Standard for Hazardous Air Pollutants (40 CFR §61 Subpart M) require that asbestos containing waste materials be properly identified, documented and handled.
- ! Stratospheric Ozone Protection Program (40 CFR §82 Subpart ) requires the source to monitor the amount of Ozone depleting material that enters the landfill area and dispose of it in the proper manner, in compliance with the applicable requirements of 40 CFR §82 - Subpart F.
- ! Emissions from Existing and New Nonpoint Sources (A.A.C. R18-2-604 through 610) requires that the opacity of an emission from any nonpoint source shall not be greater than 40 percent.

All definitions, terms, and conditions used in this permit conform to those in the Arizona Administrative Code R18-2-101 et. seq. (A.A.C.) and 40 Code of Federal Regulations (CFR), except as otherwise defined in this permit. This permit is issued in accordance with Title V of the Clean Air Act, and Title 49, Chapter 3 of the Arizona Revised Statutes. Applicable requirements for the operations at the Copper Mountain Landfill are listed in Attachment "C" of this permit.

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## **ATTACHMENT "A": GENERAL PROVISIONS**

Air Quality Control Permit No. 1000734  
For  
***Copper Mountain Landfill***

**I. PERMIT EXPIRATION AND RENEWAL**

[A.R.S. § 49-426.F, A.A.C. R18-2-304.C.2 and 306.A.1]

- A. This permit is valid for a period of five years from the date of issuance of the permit.
- B. The Permittee shall submit an application for renewal of this permit at least 6 months, but not more than 18 months prior to the date of permit expiration.

**II. COMPLIANCE WITH PERMIT CONDITIONS**

[A.A.C. R18-2-306.A.8, A.R.S. 49-463, A.R.S. 49-464]

- A. The Permittee shall comply with all the conditions contained in Attachments “A” and “B” of this permit including all applicable requirements of Arizona air quality statutes and the air quality rules. Any permit noncompliance constitutes a violation of the Arizona Revised Statutes and is grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application. In addition, noncompliance with any federally enforceable requirement constitutes a violation of the Clean Air Act (Act).
- B. Need to halt or reduce activity not a defense. It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

**III. PERMIT REVISION, REOPENING, REVOCATION AND REISSUANCE, OR TERMINATION FOR CAUSE**

[A.A.C. R18-2-306.A.8.c, 321]

- A. The permit may be revised, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a permit revision, revocation and reissuance, or termination; or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
- B. The permit shall be reopened and revised under any of the following circumstances:
  - 1. Additional applicable requirements under the Act become applicable to the Class I source. Such reopening shall only occur if there are three or more years remaining in the permit term. The reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to R18-2-322(B). Any permit revision required pursuant to this subparagraph shall comply with provisions in R18-2-322 for permit renewal and shall reset the five year permit term.

2. Additional requirements, including excess emissions requirements, become applicable to an affected source under the acid rain program. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the Class I permit.
  3. The Director or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
  4. The Director or the Administrator determines that the permit needs to be revised or revoked to assure compliance with the applicable requirements.
- C. Proceedings to reopen and issue a permit, including appeal of any final action relating to a permit reopening, shall follow the same procedures as apply to initial permit issuance and shall, except for reopenings under paragraph 1 above, affect only those parts of the permit for which cause to reopen exists. Such reopenings shall be made as expeditiously as practicable. Permit reopenings for reasons other than those stated in paragraph III.B.1 of this Attachment shall not result in a resetting of the five year permit term.

#### **IV. POSTING OF PERMIT**

[A.A.C. R18-2-315]

- A. Permittee shall post such permit, or a certificate of permit issuance on location where the facility is located in such a manner as to be clearly visible and accessible. All equipment covered by the permit shall be clearly marked with one of the following:
1. Current permit number.
  2. Serial number or other equipment number that is also listed in the permit to identify that piece of equipment.
- B. A copy of the complete permit shall be kept on the site.

#### **V. FEE PAYMENT**

[A.A.C. R18-2-326, 306.A.9.]

Permittee shall pay fees to the Director pursuant to A.R.S. § 49-426(E) and A.A.C. R18-2-326.

#### **VI. ANNUAL EMISSIONS INVENTORY QUESTIONNAIRE**

[A.A.C. R18-2-327]

- A. Permittee shall complete and submit to the Director an annual emissions inventory questionnaire. The questionnaire is due by March 31 or ninety days after the Director makes the inventory form available each year, whichever occurs later, and shall include emission information for the previous calendar year.
- B. The questionnaire shall be on a form provided by the Director and shall include the information required

by A.A.C. R18-2-327.

## VII. COMPLIANCE CERTIFICATION

[A.A.C. R18-2-309.2.a]

- A. Permittee shall submit a compliance certification to the Director twice each year, which describes the compliance status of the source with respect to each permit condition. The first certification shall be submitted no later than April 15th, and shall report the compliance status of the source during the period between September 16th of the previous year, and March 15th of the current year. The second certification shall be submitted no later than October 15th, and shall report the compliance status of the source during the period between March 16th and September 15th of the current year.

The compliance certifications shall include the following:

1. Identification of each term or condition of the permit that is the basis of the certification; [A.A.C. R18-2-309.2.c.i]
  2. Compliance status of each applicable requirement; [A.A.C. R18-2-309.2.c.ii]
  3. Whether compliance was based on continuous or intermittent data; [A.A.C. R18-2-309.2.c.iii]
  4. Each deviation and take into account in the compliance certification. [40 CFR § 70.6.c.5.iii.C]
  5. Any other material information that must be in the certification to comply with section 113(c)(2) of the Act, which prohibits knowingly making a false certification or omitting material information; [40 CFR § 70.6.c.5.iii.B]
  6. Method(s) used for determining the compliance status of the source, currently and over the reporting period; [A.A.C. R18-2-309.2.c.iv]
  7. A progress report on all outstanding compliance schedules submitted pursuant to Section XILD of this Attachment. Progress reports submitted with compliance certifications shall satisfy the reporting requirements of A.A.C. R18-2-309.5.d. [A.A.C. R18-2-309.5.d]
- B. A copy of all compliance certifications for Class I permits shall also be submitted to the EPA Administrator. [A.A.C. R18-2-309.2.d]

## VIII. CERTIFICATION OF TRUTH, ACCURACY AND COMPLETENESS

[A.A.C. R18-2-309.3]

Any document required to be submitted by this permit, including reports, shall contain a certification by a responsible official of truth, accuracy, and completeness. This certification and any other certification required under this part shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

## IX. INSPECTION AND ENTRY

[A.A.C. R18-2-309.4]

The Permittee shall allow the Director or the authorized representative of the Director upon presentation of proper credentials to:

- A. Enter upon the Permittee's premises where a source is located or emissions-related activity is conducted, or where records are required to be kept under the conditions of the permit;
- B. Have access to and copy, at reasonable times, any records that are required to be kept under the conditions of the permit;
- C. Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;
- D. Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or other applicable requirements; and
- E. Record any inspection by use of written, electronic, magnetic and photographic media.

**X. PERMIT REVISION PURSUANT TO FEDERAL HAZARDOUS AIR POLLUTANT STANDARD**  
[A.A.C. R18-2-304.C.4]

If this source becomes subject to a standard promulgated by the Administrator pursuant to section 112(d) of the Act, then the Permittee shall, within twelve months of the date on which the standard is promulgated, submit an application for a permit revision demonstrating how the source will comply with the standard.

**XI. ACCIDENTAL RELEASE PROGRAM**  
[40 CFR § 68]

If this source becomes subject to provision of 40 CFR Part 68, then the Permittee shall comply with these provisions according the time-lines specified in 40 CFR Part 68.

**XII. REPORTING OF EXCESS EMISSIONS, PERMIT DEVIATIONS, AND EMERGENCIES**

**A. EXCESS EMISSIONS REPORTING**  
[A.A.C. R18-2-310.C]

- 1. Excess emissions as defined in A.A.C. R18-2-101.37, shall be reported as follows:
  - a. The Permittee shall report to the Director any emissions in excess of the limits established by this permit. Such report shall be in two parts as specified below:
    - (1) Notification by telephone or facsimile within 24 hours of the time when the Permittee first learned of the occurrence of excess emissions including all available information from paragraph b. of this subsection.



- (2) Detailed written notification within 72 hours of the notification pursuant to subparagraph (1) of this paragraph.

b. Report shall contain the following information:

- (1) Identity of each stack or other emission point where the excess emissions occurred.
  - (2) Magnitude of the excess emissions expressed in the units of the applicable emission limitation and the operating data and calculations used in determining the magnitude of the excess emissions.
  - (3) Date, time and duration or expected duration of the excess emissions.
  - (4) Identity of the equipment from which the excess emissions emanated.
  - (5) Nature and cause of such emissions.
  - (6) If the excess emissions were the result of a malfunction, steps taken to remedy the malfunction and the steps taken or planned to prevent the recurrence of such malfunctions.
  - (7) Steps taken to limit the excess emissions.
2. In the case of continuous or recurring excess emissions, the notification requirements of this section shall be satisfied if the source provides the required notification after excess emissions are first detected and includes in such notification an estimate of the time the excess emissions will continue. Excess emissions occurring after the estimated time period or changes in the nature of the emissions as originally reported shall require additional notification pursuant to subsection A.1.a.(2) of this Section.  
[A.A.C. R18-2-310.D]
  3. It shall be the burden of the Permittee to demonstrate, through submission of the data and information required by this Section XII.a of Attachment "A", that all reasonable and practicable measures within the Permittee's control were implemented to prevent the occurrence of excess emissions.  
[A.A.C. R18-2-310.B]

**B. PERMIT DEVIATIONS REPORTING**

[A.A.C. R18-2-306.A.5]

1. Permittee shall promptly report deviations from permit requirements, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken. Prompt reporting shall mean that the report was submitted to the Director by certified mail, facsimile, or hand delivery within two working days of the time the deviation occurred.  
[A.A.C. R18-2-306.A.5.b]
2. All instances of deviations from permit requirements shall be clearly identified in the required

semiannual monitoring report specified in Attachment "B", Section VI and shall be certified by the responsible official.

[A.A.C. R18-2-306.A.5.a]

### C. EMERGENCY PROVISION

[A.A.C. R18-2-306.E]

1. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

a. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of Paragraph c of this section are met.

b. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An emergency occurred and that the Permittee can identify the cause(s) of the emergency;

(2) The permitted facility was at the time being properly operated;

(3) During the period of the emergency the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and

(4) The Permittee shall submit notice of the emergency to the Director by certified mail, facsimile or hand delivery within 2 working days of the time when emission limitations were exceeded due to an emergency. This notice shall contain a description of the emergency, any steps taken to mitigate emissions, and corrective action taken.

c. In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.

d. This provision is in addition to any emergency or upset provision contained in any applicable requirement.

D. For any excess emission or permit deviation that cannot be corrected within 72 hours, the Permittee is required to submit a compliance schedule to the Director within 21 days of such occurrence. The compliance schedule shall include a schedule of remedial measures, including an enforceable sequence of actions with milestones, leading to compliance with the permit terms or conditions that have been violated.

[A.R.S. 49-42 5 6(I)(5)]

### **XIII. RECORD KEEPING REQUIREMENTS**

[A.A.C. R18-2-306.A.4]

- A. Permittee shall keep records of all required monitoring information including, but not limited to, the following:
  - 1. The date, place as defined in the permit, and time of sampling or measurements;
  - 2. The date(s) analyses were performed;
  - 3. The name of the company or entity that performed the analyses;
  - 4. A description of the analytical techniques or methods used;
  - 5. The results of such analyses; and
  - 6. The operating conditions as existing at the time of sampling or measurement.
- B. Permittee shall retain records of all required monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings or other data recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

### **XIV. REPORTING REQUIREMENTS**

[A.A.C. R18-2-306.A.5]

Permittee shall submit the following reports :

- A. Compliance certifications in accordance with Section VII of Attachment "A".
- B. Excess emissions, permit deviations, and emergency reports in accordance with Section XI of Attachment "A".
- C. Other reports required by Section VII of Attachment "B".

### **XV. DUTY TO PROVIDE INFORMATION**

[A.A.C. R18-2-304.G and 306.A.8.e]

- A. The Permittee shall furnish to the Director, within a reasonable time, any information that the Director may request in writing to determine whether cause exists for revising, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the Permittee shall also furnish to the Director copies of records required to be kept by the permit. For information claimed to be confidential, the Permittee shall furnish an additional copy of such records directly to the Administrator

along with a claim of confidentiality.

- B. If the Permittee has failed to submit any relevant facts or if the Permittee has submitted incorrect information in the permit application, the Permittee shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information.

## **XVI. PERMIT AMENDMENT OR REVISION**

[A.A.C. R18-2-318, 319 and 320]

Permittee shall apply for a permit amendment or revision for changes to the facility which do not qualify for a facility change without revision under Section XVI, as follows:

- A. Administrative Permit Amendment (A.A.C. R18-2-318);
- B. Minor Permit Revision (A.A.C. R18-2-319);
- C. Significant Permit Revision (A.A.C. R18-2-320).

The applicability and requirements for such action are defined in the above referenced regulations.

## **XVII. FACILITY CHANGE WITHOUT PERMIT REVISION**

[A.A.C. R18-2-317]

- A. Permittee may make changes at the permitted source without a permit revision if all of the following apply:
  - 1. The changes are not modifications under any provision of Title I of the Act or under A.R.S. §49-401.01(17).
  - 2. The changes do not exceed the emissions allowable under the permit whether expressed therein as a rate of emissions or in terms of total emissions.
  - 3. The changes do not violate any applicable requirements or trigger any additional applicable requirements.
  - 4. The changes satisfy all requirements for a minor permit revision under R18-2-319(A).
  - 5. The changes do not contravene federally enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.
- B. The substitution of an item of process or pollution control equipment for an identical or substantially similar item of process or pollution control equipment shall qualify as a change that does not require a permit revision, if it meets all of the requirements of subsections (A) and (C) of this Section.
- C. For each such change under subsections A and B of this Section, a written notice by certified mail or hand

delivery shall be received by the Director and, for Class I permits, the Administrator, a minimum of 7 working days in advance of the change. Notifications of changes associated with emergency conditions, such as malfunctions necessitating the replacement of equipment, may be provided less than 7 working days in advance of the change but must be provided as far in advance of the change as possible or, if advance notification is not practicable, as soon after the change as possible. Each notification shall include:

1. When the proposed change will occur.
2. A description of each such change.
3. Any change in emissions of regulated air pollutants.
4. The pollutants emitted subject to the emissions trade, if any.
5. The provisions in the implementation plan that provide for the emissions trade with which the source will comply and any other information as may be required by the provisions in the implementation plan authorizing the trade.
6. If the emissions trading provisions of the implementation plan are invoked, then the permit requirements with which the source will comply.
7. Any permit term or condition that is no longer applicable as a result of the change.

## **XVIII. PERFORMANCE TESTING REQUIREMENTS**

[A.A.C.R18-2-312]

### **A. Operational Conditions During Testing**

Performance tests shall be conducted during operation at the full load of each unit under representative operational conditions unless other conditions are required by the applicable test method or in this permit. With prior written approval from the Director, testing may be performed at a lower rate. Operations during start-up, shutdown, and malfunction (as defined in A.A.C. R18-2-101) shall not constitute representative operational conditions unless otherwise specified in the applicable standard.

### **B. Performance tests shall be conducted and data reduced in accordance with the test method and procedures contained in the Arizona Testing Manual unless modified by the Director pursuant to A.A.C. R18-2-312.B.**

### **C. Performance Test Plan**

At least 14 calendar days prior to performing a test required by this permit, the owner or operator shall submit a test plan to the Director, in accordance with the Arizona Testing Manual. This test plan must include the following:

1. test duration;
2. test location(s);
3. test method(s); and
4. source operation and other parameters that may affect test results.

**D. Stack Sampling Facilities**

Permittee shall provide or cause to be provided, performance testing facilities as follows:

1. Sampling ports adequate for test methods applicable to the facility;
2. Safe sampling platforms;
3. Safe access to sampling platforms; and
4. Utilities for sampling and testing equipment.

**E. Interpretation of Final Results**

Each performance test shall consist of three separate runs using the required test method. Each run shall be conducted in accordance with the applicable standard and test method. For the purpose of determining compliance with an applicable standard, the arithmetic means of results of the three runs shall apply. If a sample is accidentally lost or conditions occur which are not under the Permittee's control and which may invalidate the run, compliance may, upon the Director's approval, be determined using the arithmetic mean of the other two runs. If the Director or the Director's designee is not present, tests may only be stopped for good cause. Good cause includes, forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions or other conditions beyond the Permittee's control. Termination of any test without good cause after the first run is commenced shall constitute a failure of the test. Supporting documentation which demonstrates good cause must be submitted.

**F. Report of Final Test Results**

A written report of the results of all required performance tests shall be submitted to the Director within 30 days after the test is performed. The report shall be submitted in accordance with the Arizona Testing Manual and A.A.C. R18-2-312.A.

[A.A.C. R18-2-312.A.]

**XIX. PROPERTY RIGHTS**

[A.A.C. R18-2-306.A.8.d]

This permit does not convey any property rights of any sort, or any exclusive privilege.

**XX. SEVERABILITY CLAUSE**

[A.A.C. R18-2-306.A.7]

The provisions of this permit are severable. In the event of a challenge to any portion of this permit, or if any portion of this permit is held invalid, the remaining permit conditions remain valid and in force.

**XXI. PERMIT SHIELD**

[A.A.C. R18-2-325]

Compliance with the conditions of this permit shall be deemed compliance with the applicable requirements identified in Attachment "C" of this permit. The permit shield shall not apply to any changes made pursuant to Section XVI.B of this Attachment and Section XVII of this Attachment.

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## **ATTACHMENT "B": SPECIFIC CONDITIONS**



Air Quality Control Permit No. 1000734  
For  
**Copper Mountain Landfill**

**I. RELATIONSHIP OF PERMIT TO APPLICABLE STATE IMPLEMENTATION PLAN**

[A.R.S. §49-404.C and -426]

This permit is issued pursuant to the provisions of Arizona Revised Statutes (A.R.S.) and constitutes an Installation Permit for the purpose of the applicable State Implementation Plan (SIP).

**II. NON-METHANE ORGANIC COMPOUNDS (NMOC)**

The Permittee shall either install and operate a collection and control system in accordance with Section III, or calculate the NMOC mass emission rate according to the following procedures.

A. The Permittee shall calculate the NMOC emission rate using one of the equations provided below and proceed to a Tier 1 analysis;

[40 CFR § 60.754(a)(1)]

1. For sites with known refuse acceptance rate,

$$M_{\text{NMOC}} = \sum 2kL_o M_i (e^{-kt_i})(C_{\text{NMOC}})(3.6 \times 10^{-9})$$

where,

$M_{\text{NMOC}}$  = Total NMOC emission rate from the landfill, Mg/yr

$k$  = Methane generation rate constant, years<sup>-1</sup>

$L_o$  = Methane generation rate potential, cubic meters per megagram solid waste

$M_i$  = Mass of solid waste in the  $i^{\text{th}}$  section, megagrams

$t_i$  = Age of the  $i^{\text{th}}$  section, years

$C_{\text{NMOC}}$  = Concentration of the NMOC, parts per million by volume (ppmv) as hexane

$3.6 \times 10^{-9}$  = Conversion factor

or,

2. For sites with unknown refuse acceptance rate,

$$M_{\text{NMOC}} = 2L_o R (e^{-k_c} - e^{-k_t})(C_{\text{NMOC}})(3.6 \times 10^{-9})$$

where,

$M_{\text{NMOC}}$  = Total NMOC emission rate from the landfill, Mg/yr

$L_o$  = Methane generation rate potential, cubic meters per megagram solid waste

$R$  = Average annual acceptance rate, Mg/yr

$k$  = Methane generation rate constant, year<sup>-1</sup>

$t$  = Age of the landfill, years

$c$  = time since closure, years. For active landfill  $c=0$  and  $e^{-kc} = 1$

$C_{\text{NMOC}}$  = Concentration of the NMOC, ppmv as hexane

$3.6 \times 10^{-9}$  = Conversion factor

## B. TIER 1

1. In a Tier 1 analysis the Permittee shall calculate the NMOC emission rate using the following default values:

$k = 0.02$  /yr for arid region

$L_o = 170$  m<sup>3</sup>/Mg

$C_{\text{NMOC}} = 4000$  ppmv

The Permittee shall compare the calculated NMOC emission rate to the standard of 50 Mg/yr.

[40 CFR § 60.754(a)(2)]

2. If the NMOC emission rate calculated in the Tier 1 analysis is less than 50 Mg/yr, then the Permittee shall submit an emission rate report as per Section VIII.B. [40 CFR § 60.754(a)(2)(i)]
3. If the calculated NMOC emission rate is equal to or greater than 50 Mg/yr, then the Permittee shall either determine a site-specific NMOC concentration and recalculate the NMOC emission rate using the Tier 2 procedure or install and operate a collection and control system according to Section III. [40 CFR § 60.754(a)(2)(ii)]

## C. TIER 2

1. The Tier 2 procedure consists of determining a site specific NMOC concentration ( $C_{\text{NMOC}}$ ) using the sampling procedure specified in 40 CFR § 60.754.a.3 and recalculating the NMOC emissions rate. The Permittee shall recalculate the NMOC mass emission rate using the equations provided in Section II.A and use the average NMOC concentration from the collected samples. [40 CFR § 60.754(a)(3)] & [40 CFR § 60.754(a)(3)(i)]
2. If the resulting NMOC mass emission rate is less than 50 Mg/yr, then the Permittee shall submit a periodic estimate of the emission rate report as per Section VIII.B and retest the site-specific NMOC concentration every 5 years using the methods specified in Section II.C.1, above. [40 CFR § 60.754(a)(3)(iii)]
3. If the resulting mass emission rate calculated using the site-specific NMOC concentration is equal to or greater than 50 Mg/yr, then the Permittee shall either determine the site-specific methane generation rate constant and recalculate the NMOC emission rate using the Tier 3 procedure or install and operate a collection and control system according to Section III. [40 CFR § 60.754(a)(3)(iii)]

## D. TIER 3

1. The Tier 3 procedure consists of determining the site specific methane generation constant,  $k$ , and recalculating the NMOC emissions rate using the site specific methane generation constant. The site-specific methane generation constant shall be determined using the procedure provided in Method 2E of appendix A of the 40 CFR §60. The Permittee shall estimate the NMOC mass emission rate using the appropriate equation in Section II.A, the a site-specific methane generation rate constant  $k$ , and the site-specific NMOC concentration as determined in the Tier 2 analysis instead of the default values provided in the Tier 1 procedure. The Permittee shall compare the resulting NMOC mass emission rate to the standard of 50 Mg/yr. [40 CFR §60.754(a)(4)]
2. If the NMOC mass emission rate is less than 50 Mg/yr, then the Permittee shall submit a periodic emission rate report as per section VII.B and shall recalculate the NMOC mass emission rate annually using the equations in Section II.A, the NMOC concentration obtained in the Tier 2 analysis, and the site-specific methane generation rate constant obtained in the Tier 3 analysis. The methane generation rate constant calculation is performed only once, and the value obtained from this test shall be used in all subsequent annual NMOC emission rate calculations. [40 CFR §60.754(a)(4)(ii)]
3. If the NMOC mass emission rate as calculated using the site-specific methane generation rate and the site specific NMOC concentration is equal to or greater than 50 Mg/yr, then the Permittee shall install and operate a collection and control system according to Section III. [40 CFR §60.754(a)(4)(i)]

#### E. Alternative Methods

Upon the Director's approval, the Permittee may use other methods to determine the NMOC concentration or a site-specific methane generation rate constant as an alternative to the methods required under Tier 2 or Tier 3. [40 CFR §60.754(a)(5)]

### III. STANDARDS FOR COLLECTION AND CONTROL SYSTEM

If the NMOC emission rate is equal to or greater than 50 Mg/yr, then the Permittee shall install, maintain and operate a collection and control system according to the following standards.

#### A. Installation Standards

The Permittee shall:

1. Submit a collection and control system design plan prepared by a professional engineer to the Director within 1 year of determining the NMOC emission rate  $\geq$  50 Mg/yr. [40 CFR §60.752(b)(2)(i)]
  - a. The collection and control system as described in the plan shall meet the design requirements of Section III.A.2.
  - b. The collection and control system design plan shall include any alternatives to the operational

standards and test methods, compliance provisions, monitoring, recordkeeping or reporting as provided in Sections III.C, V, VI, VII, VIII.A, C, D, E, F and G.

- c. The collection and control system design plan shall either conform with the specifications in Section IV for an active collection system or include a demonstration to the Director's satisfaction of the sufficiency of any alternative provision to Section IV.
  - d. The Director shall review the information submitted in the above paragraphs of this section and either approve it, disapprove it, or request that additional information be submitted.
2. Install a collection and control system within 18 months of the submittal of the design plan as specified in Section III.A.1 that effectively captures the gas generation within the landfill.

[40 CFR §60.752(b)(2)(ii)]

a. An active collection system shall:

- (i) Be designed to handle the maximum expected gas flow rate from the entire area of the landfill that warrants control over the intended use period of the gas control or treatment system equipment;
- (ii) Collect gas from each area, cell, or group of cells in the landfill in which the initial solid waste has been in place for a period of:
  - a. 5 years or more if active; or
  - b. 2 years or more if closed or at final grade;
- (iii) Collect gas at a sufficient extraction rate; and
- (iv) Be designed to minimize off-site migration of subsurface gas.

b. A passive collection system shall:

[40 CFR §60.752(b)(2)(ii)(B)]

- (i) Comply with the provisions specified in Sections III.A.2.a(i),(ii), and (iv), and
- (ii) Be installed with liners on the bottom and all sides in all areas in which gas is to be collected. The liners shall be installed as required under 40 CFR §258.40.

3. Route all the collected gas to a control system that complies with one of the following:

[40 CFR §60.752(b)(2)(iii)]

- a. An open flare designed and operated in accordance with 40 CFR §60.18, or
- b. A control system designed and operated to reduce NMOC by 98 weight percent, or, when an

enclosed combustion device is used for control, to either reduce NMOC by 98 weight percent or reduce the outlet NMOC concentration to less than 20 ppmv, dry basis as hexane at 3 percent oxygen. The reduction efficiency or ppmv shall be established by an initial performance test required under 40 CFR §60.8. Method 25C or Method 18 specified in appendix A of the 40 CFR §60 or alternative method approved by the Director shall be used to determine compliance with the 98 weight-percent efficiency or the 20 ppmv outlet concentration level. If using Method 18 of appendix A in the 40 CFR §60, the minimum list of compounds to be tested shall be those published in the most recent Compilation of Air Pollutant Emission Factors (AP-42). The following equation shall be used to calculate efficiency: [40 CFR §60.752(b)(2)(iii)(B) & 40 CFR §60.754(d)]

$$\text{Control Efficiency} = ((\text{NMOC}_{\text{in}} - \text{NMOC}_{\text{out}}) / \text{NMOC}_{\text{in}}) * 100\%$$

where,

NMOC<sub>in</sub>=mass of NMOC entering control device

NMOC<sub>out</sub>=mass of NMOC exiting control device

- (i) If a boiler or process heater is used as the control device, the landfill gas stream shall be introduced into the flame zone.
  - (ii) The control device shall be operated within the parameter ranges established during the initial or most recent performance test. The operating parameters to be monitored are specified in Section VI, or
- c. A treatment system that processes the collected gas for subsequent sale or use. All emissions from any atmospheric vent from the gas treatment system shall be subject to requirements of Sections III.A.3.a or b above. [40 CFR §60.752(b)(2)(iii)(C)]
4. Operate the installed collection and control device to comply with Sections III.B, V, and VI. [40 CFR §60.752(b)(2)(iv)]

## B. Removal Standards

The collection and control device may be capped or removed provided that all the following conditions are met:

[40 CFR §60.752(b)(2)(v)]

1. The landfill shall be no longer accepting solid waste and be permanently closed under the requirements of 40 CFR §258.60. A closure report shall be submitted to the Director as provided in Section VIII.G.
2. The collection and control system shall have been in operation a minimum of 15 years; and
3. After the installation of a collection and control system, the Permittee shall calculate the NMOC

emissions rate, using the following equation, for the purposes of determining when the system can be removed:

$$M_{\text{NMOC}} = 1.89 \times 10^{-3} (Q_{\text{LFG}})(C_{\text{NMOC}})$$

where,

$M_{\text{NMOC}}$  = mass emission rate of NMOC, Mg/yr

$Q_{\text{LFG}}$  = flow rate of landfill gas, cubic meters per minute

$C_{\text{NMOC}}$  = NMOC concentration, ppmv as hexane

The calculated NMOC mass emission rate produced by the landfill shall be less than 50 Mg/yr on three successive test dates. The test dates shall be no less than 90 days apart, and no more than 180 days apart.

[(40 CFR §60.752(b)(2)(v))&(40 CFR §60.754(b))]

- (i) The flow rate of the landfill gas,  $Q_{\text{LFG}}$ , shall be determined by measuring the total landfill gas flow rate at the common header pipe that leads to the control device using a gas flow measuring device calibrated according to the provisions of Section 4 of Method 2E of appendix A of 40 CFR §60.
- (ii) The average NMOC concentration,  $C_{\text{NMOC}}$ , shall be determined by collecting and analyzing landfill gas sampled using the procedures in Method 25C or Method 18 of appendix A in the 40 CFR §60. If using Method 18, the minimum list of compounds to be tested shall be those published in the most recent Compilation of Air Pollutant Emission Factors (AP-42). The sample location on the common header pipe shall be before any gas moving, or condensate removal or other gas refining units. The Permittee shall divide the NMOC concentration from Method 25C by 6 to convert from  $C_{\text{NMOC}}$  as carbon to  $C_{\text{NMOC}}$  as hexane.
- (iii) The Permittee may use another method to determine landfill gas flow rate and NMOC concentration if the method has been approved by the Director.

### C. Operational Standards and Test Methods

The Permittee shall:

1. Operate the collection system such that gas is collected from each area, cell, or group of cells in the Municipal Solid Waste landfill in which waste has been in place for: [40 CFR §60.753(a)]
  - a. 5 years or more if active; or
  - b. 2 years or more if closed or at final grade.
2. Operate the collection system with negative pressure at each wellhead except under the following

conditions:

[40 CFR §60.753(b)]

- a. When a fire or increased well temperature occurs. The Permittee shall record instances when positive pressure occurs in efforts to avoid fire. These records shall be submitted with the annual report as provided in Section VIII.D;
  - b. When a geomembrane or synthetic cover is used. The Permittee shall develop acceptable pressure limits in the design plan; or
  - c. When the Permittee has a decommissioned well. The well may experience a static positive pressure after shut down to accommodate for declining flow. All design changes shall be approved by the Director.
3. Operate each interior wellhead in the collection system with a landfill gas temperature less than 55 degrees Celsius and with either a nitrogen level less than 20 percent or an oxygen level less than 5 percent. The Permittee may establish a higher operating temperature, nitrogen, or oxygen value at a particular well. A higher operating value demonstration shall show supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens.
- [40 CFR §60.753(c)]
- a. The nitrogen level shall be determined using Method 3C, unless an alternative test method is established as allowed by Section III.A.1.c.
  - b. Unless an alternative test method is established as allowed by Section III.A.1.c, the oxygen shall be determined by an oxygen meter using Method 3A except that:
    - (i) The span shall be set so that the regulatory limit is between 20 and 50 percent of the span;
    - (ii) A data recorder is not required;
    - (iii) Only two calibration gases are required, a zero and span, and ambient air may be used as the span;
    - (iv) A calibration error check is not required, and
    - (v) The allowable sample bias, zero drift, and calibration drift are  $\pm 10$  percent.
4. Operate the collection system so that the methane concentration is less than 500 ppm above background at the surface of the landfill. To determine if this level is exceeded, the Permittee shall conduct surface testing around the perimeter of the collection area along a pattern that traverses the landfill at thirty meter intervals and where visual observations indicate elevated concentrations of landfill gas, such as distressed vegetation and cracks or seeps in the cover. The Permittee may establish an alternative traversing pattern that ensures equivalent coverage. A surface monitoring

design plan shall be developed that includes a topographical map with the monitoring route and the rationale for any site specific deviations from the 30 meter intervals. Areas with steep slopes or other dangerous area may be excluded from the surface testing. [40 CFR §60.753(d)]

5. Operate the system such that all collected gases are vented to a control system designed and operated in compliance with Section III.A.3. In the event the collection and control system is inoperable, the gas mover system shall be shut down and all valves in the collection and control system contributing to venting of the gas to the atmosphere shall be closed within 1 hour; [40 CFR §60.753(e)]
6. Operate the control or treatment system at all times when the collected gas is routed to the system. [40 CFR §60.753(f)]
7. Take corrective action as specified in Section V.A.3 through 5 or Section V.B, if monitoring demonstrates that the operational requirements in Section III.C.2, 3, and 4 are not met. If corrective actions are taken the monitoring exceedance is not a violation of the operational requirements in this section. [40 CFR §60.753(g)]

#### **IV. SPECIFICATIONS FOR ACTIVE COLLECTION SYSTEMS**

- A. The Permittee shall site active collection wells, horizontal collectors, or other extraction devices at a sufficient density throughout all gas producing areas using the following procedures; [40 CFR §60.759(a)]
  1. The collection devices within the interior and along the perimeter areas shall be certified by a professional engineer to achieve comprehensive control of surface gas emissions. The following issues shall be addressed in the design: depth of refuse, refuse gas generation rate and flow characteristics, cover properties, gas system expendability, leachate and condensate management, accessibility, compatibility with filling operations, integration with closure end use, air intrusion control, corrosion resistance, fill settlement, and resistance to the refuse decomposition heat. [40 CFR §60.759(a)(1)]
  2. The sufficient density of gas collection devices determined in the previous paragraph shall address landfill gas migration issues and augmentation of the collection system through the use of active or passive systems at the landfill perimeter or exterior. [40 CFR §60.759(a)(2)]
  3. The placement of the gas collection devices determined in Section IV.A.1 above, shall control all gas producing areas, except for; [40 CFR §60.759(a)(3)]
    - a. Any segregated area of asbestos or nondegradable material may be excluded from collection if documented as provided in the Section VII.E.2. The documentation shall provide the nature, date of deposition, location, and amount of asbestos or nondegradable material deposited in the area, and shall be provided to the Director upon request. [40 CFR §60.759(a)(3)(i)]
    - b. Any nonproductive area of the landfill may be excluded from control, provided that the total of



all excluded areas can be shown to contribute less than one percent of the total amount of NMOC emissions from the landfill. The amount, location, and age of the material shall be documented and provided to the Director upon request. A separate NMOC emissions estimate shall be made for each section proposed for exclusion, and the sum of all such sections shall be compared to the NMOC emissions estimate for the entire landfill. Emissions from each section shall be computed using the following equation:

$$Q_i = 2kL_oM_i (e^{-kt} - I)(C_{NMOC})(3.9 \times 10^{-9})$$

where,

- $Q_i$  = NMOC emission rate from the  $i^{\text{th}}$  section, Mg/yr
- $k$  = methane generation rate constant, year<sup>-1</sup>
- $L_o$  = methane generation potential, cubic meters per megagram solid waste
- $M_i$  = mass of the degradable solid waste in the  $i^{\text{th}}$  section, megagrams
- $t_i$  = age of the solid waste in the  $i^{\text{th}}$  section, years
- $C_{NMOC}$  = concentration of nonmethane organic compounds, ppmv [40 CFR §60.759(a)(3)(ii)]

- c. The values for  $k$  and  $C_{NMOC}$  determined in field testing shall be used, if field testing has been performed in determining the NMOC emission rate or the radii of influence (the distance from the well center to a point in the landfill where the pressure gradient applied by the blower or compressor approaches zero). If field testing has not been performed, the default values for  $k$ ,  $L_o$ , and  $C_{NMOC}$  are provided in Section II.B. The mass of the nondegradable solid waste contained within the given section may be subtracted from the total mass of the section when estimating emissions provided the nature, location, age, and amount of the nondegradable material is documented as provided in the previous paragraph of this section. [40 CFR §60.759(a)(3)(iii)]

B. The Permittee shall construct the gas collection devices using the following equipment or procedures:

[40 CFR §60.759(b)]

1. The landfill gas extraction components shall be constructed of polyvinyl chloride (PVC), high density polyethylene (HDPE) pipe, fiberglass, stainless steel, or other nonporous corrosion resistant material of suitable dimensions to: convey projected amounts of gases; withstand installation, static, and settlement forces; and withstand planned overburden or traffic loads. The collection system shall extend as necessary to comply with emission and migration standards. Collection devices such as wells and horizontal collectors shall be perforated to allow gas entry without head loss sufficient to impair performance across the intended extent of control. Perforations shall be situated with regard to the need to prevent excessive air infiltration. [40 CFR §60.759(b)(1)]
2. Vertical wells shall be placed so as not to endanger underlying liners and shall address the occurrence of water within the landfill. Holes and trenches constructed for piped wells and horizontal collectors shall be of sufficient cross-section so as to allow for their proper construction and completion

including, for example, centering of pipes and placement of gravel backfill. Collection devices shall be designed so as not to allow indirect short circuiting of air into the cover or refuse into the collection system or gas into the air. Any gravel used around pipe perforations should be of a dimension so as not to penetrate or block perforations. [40 CFR §60.759(b)(2)]

3. Collection devices may be connected to the collection header pipes below or above the landfill surface. The connector assembly shall include a positive closing throttle valve, any necessary seals and couplings, access couplings and at least one sampling port. The collection devices shall be constructed of PVC, HDPE, fiberglass, stainless steel, or other nonporous material of suitable thickness. [40 CFR §60.759(b)(3)]

- C. The Permittee shall convey the landfill gases to a control system through the collection header pipe(s). The gas mover equipment shall be sized to handle the maximum gas generation flow rate expected over the intended use period of the gas moving equipment. [40 CFR §60.759(c)]

## V. COMPLIANCE PROVISIONS

### A. Active Collection System

1. For the purposes of calculating the maximum expected gas generation flow rate from the landfill to determine compliance with Section III.A.2.a(i), one of the following equations shall be used. The  $k$  and  $L_o$  kinetic factors should be those published in the most recent Compilation of Air Pollution Emission Factors (AP-42) or other site specific values demonstrated to be appropriate and approved by the Director. If  $k$  has been determined as specified in a Tier 3 analysis, the value of  $k$  determined from the test shall be used. A value of no more than 15 years shall be used for the intended use period of the gas mover equipment. The active life of the landfill is the age of the landfill plus the estimated number of years until closure. [40 CFR §60.755(a)(1)]

- a. For sites with unknown year-to-year solid waste acceptance rate: [40 CFR §60.755(a)(1)(i)]

$$Q_m = 2L_o R(e^{-kc} - e^{-kt})$$

where,

$Q_m$  = maximum expected gas generation flow rate, cubic meters per year

$L_o$  = methane generation potential, cubic meters per megagram solid waste

$R$  = average annual acceptance rate, Mg/yr

$k$  = methane generation constant, years<sup>-1</sup>

$t$  = age of the landfill at equipment installation plus the time the Permittee intends to use the gas remover equipment or active life of the landfill, whichever is less. If the equipment is installed after closure,  $t$  is the age of the landfill at installation, years

$c$  = time since closure, years ( for an active landfill  $c=0$ , and  $e^{-kc} = 1$ )

- b. For sites with known year-to-year solid waste acceptance rate: [40 CFR §60.755(a)(1)(ii)]

$$Q_m = 3.2k L_o M_i (e^{-kt_i})$$

$Q_m$  = maximum expected gas generation flow rate, cubic meters per year

$k$  = methane generation constant, years<sup>-1</sup>

$L_o$  = methane generation potential, cubic meters per megagram solid waste

$M_i$  = mass of solid waste in the  $i$ th section, years

$t$  = age of the  $i$ th section, years

- c. If a collection and control system has been installed, actual flow data may be used to project the maximum expected gas generation flow rate instead of, or in conjunction with, the equations in Sections V.A.1.a and b above. If the landfill is still accepting waste, the actual measured flow data will not equal the maximum expected gas generation rate. Therefore, calculations using the equations in Sections V.A.1.a and b above, or other methods shall be used to predict the maximum expected gas generation rate over the intended period of use of the gas control system equipment.

[40 CFR §60.755(a)(1)(iii)]

2. For the purposes of determining sufficient density of gas collectors for compliance with Section III.A.2.a(ii), the Permittee shall design a system of vertical wells, horizontal collectors, or other collection devices, satisfactory to the Director, capable of controlling and extracting gas from all portions of the landfill sufficient to meet all operational and performance standards.

[40 CFR §60.755(a)(2)]

3. For the purposes of demonstrating whether the gas collection system flow rate is sufficient to determine compliance with Section III.A.2.a(iii), the Permittee shall measure gauge pressure in the gas collection header at each individual well, monthly. If a positive pressure exists action shall be initiated to correct the exceedance within 5 calendar days, except for the three conditions allowed under Section III.C.2. If negative pressure cannot be achieved without excess air infiltration within 15 calendar days of the first measurement, the gas collection system shall be expanded to correct the exceedance within 120 days of the initial measurement of positive pressure. Any attempted corrective measure shall not cause exceedances of other operational or performance standards. An alternative time line for correcting the exceedances may be submitted to the Director for approval. [40 CFR §60.755(a)(3)]

4. The Permittee is not required to expand the system as required in Section V.A.3 above, during the first 180 days after gas collection system startup.

[40 CFR §60.755(a)(4)]

5. For the purpose of identifying whether excess air infiltration into the landfill is occurring, the Permittee shall monitor each well monthly for temperature and nitrogen or oxygen as provided in Section III.C.3. If a well exceeds one of these operating parameters, action shall be initiated to correct the exceedance within 5 calendar days. If correction of the exceedance cannot be achieved within 15 calendar days of the first measurement, the gas collection system shall be expanded to correct the exceedance within 20 days of the initial exceedance. Any attempted corrective measure shall not cause exceedance of other operational or performance standards. An alternative time line

for correcting the exceedance may be submitted to the Director for approval.

[40 CFR §60.755(a)(5)]

6. The Permittee seeking to demonstrate compliance with Section III.A.2.a(iv), through the use of a collection system not conforming to the specifications provided in Section IV, shall provide information satisfactory to the Director as specified in Section III.A.1.c, demonstrating that off-site migration is being controlled. [40 CFR §60.755(a)(6)]
7. For the purpose of compliance with Section III.C.1, the Permittee shall install a well or design component as specified in the approved design plan as required in Section III.A.1. Each well shall be installed no later than 60 days after the date on which the initial solid waste has been in place for a period of: [40 CFR §60.755(b)]
  - a. 5 years or more if active; or
  - b. 2 years or more if closed or at final grade.

#### B. Methane Concentration Limits for an Active Collection System

The following procedures shall be used to determine compliance with the surface methane operational standard as required in Section III.C.4. [40 CFR §60.755(c)]

1. After installation of the collection system the Permittee shall monitor surface concentrations of methane along the entire perimeter of the collection area and along a pattern that traverses the landfill at 30 meter intervals (or site specific established spacing) for each collection area on a quarterly basis using an organic vapor analyzer, flame ionization detector, or other portable monitor meeting the specifications provided in Section V.C. [40 CFR §60.755(c)(1)]
2. The background concentration shall be determined by moving the probe inlet upwind and downwind outside the boundary of the landfill at a distance of at least 30 meters from the perimeter wells. [40 CFR §60.755(c)(2)]
3. Surface emission monitoring shall be performed in accordance with section 4.3.1 of Method 21 of appendix A of the 40 CFR §60, except that the probe inlet shall be placed within 5 to 10 centimeters of the ground. Monitoring shall be performed during typical meteorological conditions. [40 CFR §60.755(c)(3)]
4. Any reading of 500 ppm or more above background at any location shall be recorded as a monitored exceedance and the action specified in Section V.B.4.a through e of this section shall be taken. As long as the specified actions have been taken, the exceedance is not a violation of the operational requirements of Section III.C.4. [40 CFR §60.755(c)(4)]
  - a. The location of each monitored exceedance shall be marked and the location recorded. [40 CFR §60.755(c)(4)(i)]

- b. Cover maintenance or adjustments to the vacuum of the adjacent wells to increase the gas collection in the vicinity of each exceedance shall be made and the location shall be re-monitored within 10 calendar days of detecting the exceedance. [40 CFR §60.755(c)(4)(ii)]
  - c. If the re-monitoring of the location shows a second exceedance, additional corrective action shall be taken and the location shall be monitored again within 10 days of the second exceedance. If the re-monitoring shows a third exceedance for the same location, then the action specified in Section V.B.4.e shall be taken, and further monitoring of that location is required until the action specified in Section V.B.4.e has been taken. [40 CFR §60.755(c)(4)(iii)]
  - d. Any location that initially showed an exceedance but has a methane concentration less than 500 ppm methane above background at the 10 day re-monitoring specified in Sections V.B.4.b and c shall be re-monitored 1 month from the initial exceedance. If the 1 month re-monitoring shows a concentration less than 500 parts per million (ppm) above background, then no further monitoring of that location is required until the next quarterly monitoring period. If the 1 month re-monitoring shows an exceedance, then the actions specified in Sections V.B.4.c or e shall be taken. [40 CFR §60.755(c)(4)(iv)]
  - e. For any location where the monitored methane concentration equals or exceeds 500 ppm above background three times within a quarterly period, a new well or other collection device shall be installed within 120 calendar days of the initial exceedance. An alternative remedy to the exceedance, such as up grading the blower, header pipes, or control device, and a corresponding time line for installation may be submitted to the Director for approval. [40 CFR §60.755(c)(4)(v)]
5. The Permittee shall implement a program to monitor for cover integrity and implement cover repairs as necessary on a monthly basis. [40 CFR §60.755(c)(5)]

#### C. Surface Emission Monitoring Devices for an Active Collection System

The Permittee seeking to comply with the provisions in Section V.B shall comply with the following instrumentation specifications and procedures for surface emission monitoring devices:

[40 CFR §60.755(d)]

- 1. The portable analyzer shall meet the instrument specifications provided in section 3 of Method 21 of appendix A of 40 CFR §60, except that “methane” shall replace all references to VOC. [40 CFR §60.755(d)(1)]
- 2. The calibration gas shall be methane, diluted to a nominal concentration of 500 ppm in air. [40 CFR §60.755(d)(2)]
- 3. To meet the performance evaluation requirements in section 3.1.3 of Method 21 of appendix A of 40 CFR §60, instrument evaluation procedures of section 4.4 of Method 21 of appendix A of 40 CFR §60 shall be used. [40 CFR §60.755(d)(3)]

4. The calibration procedures provided in section 4.2 of Method 21 of appendix A of 40 CFR §60 shall be followed immediately before commencing a surface monitoring survey. [40 CFR §60.755(d)(4)]

- D. The provisions specified in Section V apply at all times, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed 5 days for collection systems and shall not exceed 1 hour for treatment or control devices. [40 CFR §60.755(e)]

## VI. MONITORING OF OPERATIONS

### A. Active Collection System

The Permittee shall install a sampling port and a thermometer, or other temperature measuring device, or an access port for temperature measurements at each wellhead and: [40 CFR §60.756(a)]

1. Measure the gauge pressure in the gas collection header on a monthly basis as provided in Section V.A.3; and [40 CFR §60.756(a)(1)]
2. Monitor nitrogen or oxygen concentration in the landfill gas on a monthly basis as provided in Section V.A.5; and [40 CFR §60.756(a)(2)]
3. Monitor temperature of the landfill gas on a monthly basis as provided in Section V.A.5. [40 CFR §60.756(a)(3)]

### B. Enclosed Combustors

If the Permittee uses an enclosed combustor, then the Permittee shall calibrate, maintain, and operate according to the manufacturer's specification, the following equipment: [40 CFR §60.756(b)]

1. A temperature monitoring device equipped with a continuous recorder and having a minimum accuracy of  $\pm 1$  percent of the temperature being measured expressed in degrees Celsius or  $\pm 0.5$  EC, whichever is greater. A temperature monitoring device is not required for boilers or process heaters with design heat input capacity greater than 44 megawatts. [40 CFR §60.756(b)(1)]
2. A device that records flow to or bypass of the enclosed combustor. The Permittee shall either: [40 CFR §60.756(b)(2)]
  - a. Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device every 15 minutes; or [40 CFR §60.756(b)(2)(i)]
  - b. Secure the bypass line valve in the closed position with a car-seal or a lock-and-key type configuration. A visual inspection of the seal or closure mechanism shall be performed at least once every month to ensure that the valve is maintained in the closed position and that the gas flow is not diverted through the bypass line. [40 CFR §60.756(b)(2)(ii)]

### C. Open Flares

If the Permittee uses an open flare, then the Permittee shall install, calibrate, maintain, and operate according to the manufacturer's specifications the following equipment: [40 CFR §60.756(c)]

1. A heat sensing device, such as an ultraviolet beam sensor or thermocouple, at the pilot light or at the flame itself to indicate the continuous presence of a flame. [40 CFR §60.756(c)(1)]
2. A device that records flow to or bypass of the flare. The Permittee shall either: [40 CFR §60.756(c)(2)]
  - a. Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device at least every 15 minutes; or [40 CFR §60.756(c)(2)(i)]
  - b. Secure the bypass line valve in the closed position with a car-seal or a lock-and-key type configuration. A visual inspection of the seal or closure mechanism shall be performed at least once every month to ensure that the valve is maintained in the closed position and that the gas flow is not diverted through the bypass line. [40 CFR §60.756(c)(2)(ii)]

### D. Surface Methane Monitoring Devices

If the Permittee is seeking to demonstrate compliance with Section V.B, the Permittee shall monitor surface concentrations of methane according to the instrument specifications and provisions specified Section V.C. Any closed landfill that has no monitored exceedances of the operational standard in three consecutive quarterly monitoring periods may skip to annual monitoring. Any methane reading of 500 ppm or more above background detected during the annual monitoring returns the frequency for that landfill to quarterly monitoring. [40 CFR §60.756(f)]

### E. Other Devices

If the Permittee uses a device other than an open flare or an enclosed combustor, the Permittee shall provide information satisfactory to the Director, as provided in Section III.A.1.b, describing the operation of the control device, the operating parameters that would indicate proper performance, and appropriate monitoring procedures. The Director shall review the information and either approve it, or request that additional information be submitted. The Director may specify additional appropriate monitoring procedures. [40 CFR §60.756(d)]

### F. Alternative

If the Permittee seeks to install a collection system that does not meet the specifications for an active collection system or seeks to monitor alternative parameters to those required by Sections III.B and C, IV, V, and VI shall provide information satisfactory to the Director, as provided in Section III.A.1, describing the design and operation of the collection system, the operating parameters that would indicate proper performance, and appropriate monitoring procedures. The Director may specify additional

appropriate monitoring procedures.

[40 CFR §60.756(e)]

## VII. RECORDKEEPING REQUIREMENTS

### A. Design Capacity

The Permittee shall keep for at least 5 years up-to-date, readily accessible, on-site records of the design capacity report, the current amount of solid waste in-place, and the year-to-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable.

[40 CFR §60.758(a)]

### B. Design Capacity Conversion

If the Permittee converts the design capacity from volume to mass or mass to volume to demonstrate that landfill design capacity is less than 2.5 million megagrams or 2.5 million cubic meters, then the Permittee shall keep readily accessible, on-site records of the annual recalculation of site-specific density, design capacity, and the supporting documentation. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable.

[40 CFR §60.758(f)]

### C. Control Equipment

Except as provided in Section III.A.1.b, the Permittee shall keep up-to-date, readily accessible records for the life of the control equipment of the data listed in Section VII.C.1 through 4 of this section as measured during the initial performance test or compliance determination. Records of subsequent tests or monitoring shall be maintained for a minimum of 5 years. Records of the control device vendor specifications shall be maintained until removal.

[40 CFR §60.758(b)]

1. The Permittee seeking to demonstrate compliance with Section III.A.2 is expected to have;

[40 CFR §60.758(b)(1)]

- a. The maximum expected gas generation flow rate as calculated in Section V.A.1 of Attachment B. The Permittee may use another method to determine the maximum gas generation flow rate, if the method has been approved by the Director.

[40 CFR §60.758(b)(1)(i)]

- b. The density of wells, horizontal collectors, surface collectors, or other gas extraction devices determined using the procedures specified in Section IV.A.1.

[40 CFR §60.758(b)(1)(ii)]

2. The Permittee seeking to demonstrate compliance with Section III.A.3.b through the use of an enclosed combustion device other than a boiler or a process heater with a design heat input capacity greater than 44 megawatts is expected to have;

[40 CFR §60.758(b)(2)]

- a. The average combustion temperature measured at least every 15 minutes and averaged over the same time period of the performance test.

[40 CFR §60.758(b)(2)(i)]



b. The percent reduction of NMOC determined as specified in Section III.A.3.b, and achieved by the control device. [40 CFR §60.758(b)(2)(ii)]

3. The Permittee seeking to demonstrate compliance with Section III.A.3.b(i), through use of a boiler or process heater of any size is expected to have a description of the location at which the gas collection vent stream is introduced into the boiler or process heater over the same time period of the performance testing. [40 CFR §60.758(b)(3)]

4. The Permittee seeking to demonstrate compliance with Section III.A.3.a through use of an open flare, the flare type (i.e. steam assisted, or nonassisted), all visible emission readings, heat content determination, flow rate or bypass flow rate measurements, and exit velocity determinations made during the performance test as specified in 40 CFR §60.18, is expected to have continuous records of the flare pilot flame or flare flame monitoring and records of all periods of operations during which the pilot flame of the flare flame is absent. [40 CFR §60.758(b)(4)]

#### D. Equipment Operating Parameters

Except as provided in Section III.A.1.b, the Permittee shall keep 5 years up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored in Section VI. The Permittee shall have up-to-date, readily accessible records for periods of operation during which the parameter boundaries established during the most recent performance test were exceeded. [40 CFR §60.758(c)]

1. The following constitute exceedances that shall be recorded and reported under Section VIII.D:

[40 CFR §60.758(c)(1)]

a. For enclosed combustors except for boilers and process heaters with design heat input capacity of 44 megawatts (150 million British thermal Units per hour) or greater, all 3 hour periods of operation during which an average combustion temperature was more than 28EC below the average combustion temperature during the most recent performance test at which compliance with Section III.A.3.b was determined. [40 CFR §60.758(c)(1)(i)]

b. For the boilers or process heaters, whenever there is a change in the location at which the vent stream is introduced into the flame zone. [40 CFR §60.758(c)(1)(ii)]

2. The Permittee shall keep up-to-date, readily accessible continuous records of the indication of flow to the control device or the indication of bypass flow or records of monthly inspections of car-seals or lock-and-key used to seal bypass lines specified in Section VI. [40 CFR §60.758(c)(2)]

3. If the Permittee decides to use a boiler or process heater with a design heat input capacity of 44 megawatts or greater complying with Section III.A.3, then the Permittee shall keep an up-to-date, readily accessible record of all periods of operation of the boiler or process heater. (Example of such records could include records of steam use, fuel use, or monitoring data collected pursuant to other

State, local, Tribal, or Federal regulatory requirements.)

[40 CFR §60.758(c)(3)]

4. If the Permittee decides to use an open flare, the Permittee shall keep up-to-date, readily accessible continuous records of the flame or flare pilot flame monitoring specified in Section VI.C and up-to-date, readily accessible records of all periods of operation in which the flame or flare pilot flame is absent.

[40 CFR §60.758(c)(4)]

#### E. Collectors

Except as provided in Section III.A.1.b, the Permittee shall keep for the life of the collection system an up-to-date, readily accessible plot map which shows each existing and planned collector in the system and provides a unique identification location label for each collector.

[40 CFR §60.758(d)]

1. The Permittee shall keep up-to-date, readily accessible records of the installation date and location of all newly installed collectors as specified in Section V.A.7.
2. The Permittee shall keep readily accessible documentation of the nature, date of deposition, amount, and location of asbestos-containing or nondegradable waste excluded from collection as provided in Section IV.A.3.a, as well as any nonproductive areas excluded from collection as provided in Section IV.A.3.b.

[40 CFR §60.758(d)(1)]

[40 CFR §60.758(d)(2)]

#### F. Exceedances of Operational Standards

Except as provided in Section III.A.1.b, the Permittee shall keep for at least 5 years up-to-date, readily accessible records of all collection and control system exceedances of the operational standard in Section III.C, the reading in the subsequent month whether or not the second reading is an exceedance, and the location of each exceedance.

[40 CFR §60.758(e)]

### VIII. REPORTING REQUIREMENTS

#### A. Initial Design Capacity Report

The Permittee shall submit an initial design capacity report to the Director.

[40 CFR §60.757(a)]

1. The initial design capacity report shall fulfill the requirements of the notification of the date construction is commenced as required by 40 CFR §60.7(a)(1) and shall be submitted no later than the earliest day from the following:
  - a. 90 days of the issuance of the State, Local, Tribal, or RCRA construction or operating permit;  
or
  - b. 30 days of the date of construction or reconstruction as defined under §60.15; or

[40 CFR §60.757(a)(1)]

[40 CFR §60.757(a)(1)(i)]

[40 CFR §60.757(a)(1)(ii)]

c. 30 days of the initial acceptance of solid waste.

[40CFR§ 60.757(a)(1)(iii)]

2. The initial design capacity report shall contain the following information:

[40 CFR § 60.757(a)(2)]

a. A map or a plot of the landfill, providing the size and location of the landfill and identifying all areas where solid waste may be landfilled.

[40 CFR § 60.757(a)(2)(i)]

b. The maximum design capacity of the landfill. The calculations shall be provided, along with the relevant parameters as part of the report. The Director may request other reasonable information as may be necessary to verify the maximum design capacity of the landfill.

[40 CFR § 60.757(a)(2)(ii)]

c. An amended design capacity report shall be submitted to the Director providing notification of any increase in the design capacity of the landfill, whether the increase results from an increase in the permitted area or depth of the landfill, a change in the operating procedures, or any other means. The amended design capacity report shall be submitted before 90 days of commencement of construction, or the placement of waste in additional land, or the change in operating procedure which will result in an increase in the maximum design capacity, whichever occurs first.

[40 CFR § 60.757(a)(3)]

#### B. NMOC Emission Rate Report

The Permittee shall submit an NMOC emission rate report to the Director initially and annually thereafter, except as provided in Sections VIII.B.1.b and B.3 below. The Director may request such additional information as may be necessary to verify the reported NMOC emission rate.

[40 CFR § 60.757(b)]

1. The NMOC emission rate report shall contain an annual or 5-year estimate of the NMOC emission rate calculated using the formulas and procedures provided in Section II.

[40 CFR § 60.757(b)(1)]

a. The initial NMOC emission rate report shall be submitted within 90 days of the date waste acceptance commences and may be combined with the initial design capacity report required under Section VIII.A. Subsequent NMOC emission rate reports shall be submitted annually thereafter, except as provided for in Sections VIII.B.1.b and B.3 below.

[40 CFR § 60.757(b)(1)(i)]

b. If the estimated NMOC emission rate as reported in the annual report to the Director is less than 50 Mg/yr in each of the next 5 consecutive years, then the Permittee may elect to submit an estimate of the NMOC emissions rate for the next 5 year period in lieu of the annual report. This estimate shall include the current amount of solid waste-in-place and the estimated waste acceptance rate for each year of the 5 years for which an NMOC emission rate is estimated. All data and calculations upon which this estimate is based shall be provided to the Director. This estimate shall be revised at least once every 5 years. If the actual waste acceptance rate exceeds

the estimated waste acceptance rate in any year reported in the 5 year estimate, a revised 5 year estimate shall be submitted to the Director. The revised estimate shall cover the 5 year period beginning with the year in which the actual waste acceptance rate exceeded the estimated waste acceptance rate.

[40 CFR §60.757(b)(1)(ii)]

2. The NMOC emission rate report shall include all the data, calculations, sample reports and measurements used to estimate the annual or 5-year emissions.
3. The Permittee subject to the requirements of Section VIII.B is exempted from the requirements of Sections VIII.B.1 and 2, after the installation of a collection and control system in compliance with Section III.A during such time that the collection and control system is in operation and in compliance with Sections III.C and V.

[40 CFR §60.757(b)(2)]

[40 CFR §60.757(b)(3)]

#### C. Collection and Control Design Plan

The Permittee shall submit a collection and control system design plan to the Director within 1 year of the first report required under Section VIII.B, in which the emission rate exceeds 50 Mg/yr, except as follows:

[40 CFR §60.757(c)]

1. If the Permittee elects to recalculate the NMOC emission rate after Tier 2 NMOC sampling and analysis as provided in Section II and the resulting rate is less than 50 Mg/yr, annual periodic reporting shall be resumed, using the Tier 2 determined site-specific NMOC concentration, until the calculated emission rate is equal to or greater than 50 Mg/yr or the landfill is closed. The revised NMOC emission rate report, with the recalculated emission rate based on NMOC sampling and analysis, shall be submitted within 180 days of the first calculated exceedance of 50 Mg/yr.
2. If the Permittee elects to recalculate the NMOC emission rate after determining a site-specific methane generation rate constant (k), as provided in Tier 3, and the resulting NMOC emission rate is less than 50 Mg/yr, annual periodic reporting shall be resumed. The resulting site-specific methane generation rate constant (k) shall be used in the emission rate calculation until such time as the emission rate calculation results in an exceedance. The revised NMOC emission rate report based on the provisions of Section II.D, and the resulting site-specific methane generation rate constant (k) shall be submitted to the Director within 1 year of the first calculated emission rate exceeding 50 Mg/yr.

[40 CFR §60.757(c)(1)]

[40 CFR §60.757(c)(2)]

#### D. Active Collection System Annual Report

The Permittee using an active collection system design shall submit to the Director annual reports of the recorded information in this section. The initial annual report shall be submitted within 180 days of installation and start-up of the collection and control system, and shall include the initial performance test report required under 40 CFR §60.8.

[40 CFR §60.757(f)]

1. Value and length of time for exceedance of applicable parameters monitored in Section VI.A, B, C, and E. [40 CFR §60.757(f)(1)]
2. Description and duration of all periods when the gas stream is diverted from the control device through a bypass line or the indication of bypass flow as specified in Section VI. [40 CFR §60.757(f)(2)]
3. Description and duration of all periods when the control devices was not operating for a period exceeding 1 hour and length of time the control device was not operating. [40 CFR §60.757(f)(3)]
4. Description and duration of all periods when the collection system was not operating for a period in excess of 5 days, and the length of time the collection system was not operating.. [40 CFR §60.757(f)(4)]
5. The location of each exceedance of the 500 ppm methane concentration as provided in Section III.C.4, and the concentration recorded at each location for which an exceedance was recorded in the previous month. [40 CFR §60.757(f)(5)]
6. The date of installation and the location of each well or collection system expansion added pursuant to Sections V.A.3, V.A.7, and V.B.4. [40 CFR §60.757(f)(6)]

#### E. Initial Performance Test

If the Permittee is seeking to comply with Section III.A.3, then the Permittee shall include the following information with the initial performance test report required under 40 CFR §60.8: [40 CFR §60.757(g)]

1. A diagram of the collection system showing collection system positioning including all wells, horizontal collectors, surface collectors, or other gas extraction devices, including the locations of any areas excluded from collection and the proposed sites for the future collection system expansion; [40 CFR §60.757(g)(1)]
2. The data upon which the sufficient density of wells, horizontal collectors, surface collectors, or other gas extraction devices and the gas mover equipment sizing are based; [40 CFR §60.757(g)(2)]
3. The documentation of the presence of asbestos or nondegradable material for each from which collection wells have been excluded based on the presence asbestos or nondegradable material; [40 CFR §60.757(g)(3)]
4. The sum of the gas generation flow rates for all areas from which collection wells have been excluded based on non-productivity and the calculations of gas generation flow rate for each excluded area; [40 CFR §60.757(g)(4)]
5. The provisions for increasing gas mover equipment capacity with increased gas generation flow rate, if the present gas mover equipment is inadequate to move the maximum flow rate expected over the life of the landfill; [40 CFR §60.757(g)(5)]

6. The provisions for controlling off-site migration.

[40 CFR §60.757(g)(6)]

#### F. Equipment Removal Report

The Permittee shall submit an equipment removal report to the Director 30 days prior to removal or cessation of operation of the control equipment.

[40 CFR §60.757(e)]

1. The equipment removal report shall contain all of the following items:

[40 CFR §60.757(e)(1)]

a. A copy of the closure report submitted in accordance with Section VIII.G.

[40 CFR §60.757(e)(1)(i)]

b. A copy of the initial performance test report demonstrating that the 15 year minimum control period has expired; and

[40 CFR §60.757(e)(1)(ii)]

c. Dated copies of three successive NMOC emissions rate reports demonstrating that the landfill is no longer producing 50 Mg/yr or greater of NMOC.

[40 CFR §60.757(e)(1)(iii)]

2. The Director may request such additional information as may be necessary to verify that all of the conditions for removal have been met.

[40 CFR §60.757(e)(2)]

#### G. Closure Report

The Permittee shall submit a closure report to the Director within 30 days of waste acceptance cessation. The Director may request additional information as may be necessary to verify that permanent closure has taken place in accordance with the requirements of 40 CFR §258.60. If a closure report has been submitted to the Director, no additional wastes may be placed into the landfill without filing a notification of modification as described in 40 CFR §60.7(a)(4).

[40 CFR §60.757(d)]

### IX. ASBESTOS

#### A. Emission Limits

The Permittee shall meet these requirements:

[40 CFR §61.154]

1. Either there must be no visible emissions to the outside air from any active waste disposal site where asbestos-containing waste material has been deposited, or the requirements of Sections IX.A.3 and 4 be met.

[40 CFR §61.154(a)]

2. Unless a natural barrier adequately deters access by the general public, either warning signs and fencing must be installed and maintained as follows, or the requirements of Sections IX.A.3.a.

[40 CFR §61.154(b)]

- a. Warning signs must be displayed at all entrances and at intervals of 100 m (330 ft) or less along the property line of the site or along the perimeter of the sections of the site where asbestos-containing waste material is deposited. The warning signs must:

[40 CFR §61.154(b)(1)]

- (i) Be posted in such a manner and location that a person can easily read the legend; and  
[40 CFR §61.154(b)(1)(i)]
- (ii) Conform to the requirements of 51cm x 36cm (20" x 14") upright format signs specified in 29 CFR 1910.145(d)(4) and this paragraph; and  
[40 CFR §61.154(b)(1)(ii)]
- (iii) Display the following legend in the lower panel with letter sizes and styles of a visibility at least equal to those specified in this paragraph.

Legend	Notation
Asbestos Waste Disposal Site	2.5 cm (1 inch) Sans Serif, Gothic or Block
Do Not Create Dust	1.9 cm (3/4 inch) Sans Serif, Gothic or Block.
Breathing Asbestos is Hazardous to Your Health	14 Point Gothic

Spacing between any two lines must be at least equal to the height of the upper of the two lines.

[40 CFR §61.154(b)(1)(iii)]

- b. The perimeter of the disposal site must be fenced in a manner adequate to deter access by the general public.

[40 CFR §61.154(b)(2)]

- c. Upon request and supply of appropriate information, the Director will determine whether a fence or a natural barrier adequately deters access by the general public.

[40 CFR §61.154(b)(3)]

3. Rather than meet the no visible emission requirements of Section IX.A.1 at the end of each operating day, or at least once every 24-hour day period while the site is in continuous operation, the asbestos-containing waste material that has been deposited at the site during the operating day or previous 24-hour period shall:

[40 CFR §61.154(c)]

- a. Be covered with at least 15 centimeters (6 inches) of compacted nonasbestos-containing material, or  
[40 CFR §61.154(c)(1)]
- b. Be covered with a resinous or petroleum-based dust suppression agent that effectively binds dust and controls wind erosion. Such an agent shall be used in the manner and frequency recommended for the particular dust by the dust suppression agent manufacturer to achieve and maintain dust control. Other equally effective dust suppression agents may be used upon prior

approval by the Director. For purposes of this paragraph, any used, spent, or other waste oil is not considered a dust suppression agent. [40 CFR § 61.154(c)(2)]

4. Rather than meet the no visible emission requirements of Section IX.A, use an alternative emissions control method that has received prior written approval by the Director according to the procedures described in the 40 CFR § 61.149(c)(2). [40 CFR § 61.154(d)]

## B. Monitoring/Recordkeeping

1. For all asbestos-containing waste material received, the Permittee of the active waste disposal site shall: [40 CFR § 61.154(e)]
  - a. Maintain waste shipment records, using a form similar to the form described in 40 CFR § 61.149 and Attachment “E”, and include the following information: [40 CFR § 61.154(e)(1)]
    - (i) The name, address, and telephone number of the waste generator. [40 CFR § 61.154(e)(1)(i)]
    - (ii) the name, address, and telephone number of the transporter(s). [40 CFR § 61.154(e)(1)(ii)]
    - (iii) The quantity of the asbestos-containing material in cubic meters (cubic yards). [40 CFR § 61.154(e)(1)(iii)]
    - (iv) The presence of improperly enclosed or uncovered waste, or an asbestos-containing waste material not sealed in leak-tight containers. Report in writing to the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program for the waste generator (identified in the waste shipment record), and, if different, the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program for the disposal site, by the following working day, the presence of a significant amount of improperly enclosed or uncovered waste. Submit a copy of the waste shipment record along with the report. [40 CFR § 61.154(e)(1)(iv)]
    - (v) The date of receipt. [40 CFR § 61.154(e)(1)(v)]
  - b. As soon as possible and no longer than 30 days after receipt of the waste, send a copy of the signed waste shipment record to the waste generator. [40 CFR § 61.154(e)(2)]
  - c. Upon discovering a discrepancy between the quality of waste designated on the waste shipment records and the quality actually received, attempt to reconcile the discrepancy with a waste generator. If the discrepancy is not resolved within 15 days after receiving the waste, immediately report in writing to the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program for waste generator (identified in the waste shipment record), and, if different, the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program for the disposal site. Describe the discrepancy and attempts to reconcile it,



and submit a copy of the waste shipment record along with the report.

[40 CFR § 61.154(e)(3)]

d. Retain a copy of all records and reports required by this paragraph for at least 2 years.

[40 CFR § 61.154(e)(4)]

2. Maintain, until closure, records of the location, depth and area, and quantity in cubic meters (cubic yards) of asbestos-containing material within the disposal site on a map or diagram of the disposal area.

[40 CFR § 61.154(f)]

3. Upon closure of any active waste disposal site that receives deposits of asbestos-containing waste material shall comply with the conditions specified in Section IX.C.3.

[40 CFR § 61.154(g)]

4. Submit to the Director, upon closure of the facility, a copy of records of asbestos waste disposal locations and quantities.

[40 CFR § 61.154(h)]

a. Furnish upon request, and make available during normal business hours for inspection by the Director, all records required under this section.

[40 CFR § 61.154(i)]

b. Notify the Director in writing at least 45 days prior to excavating or otherwise distributing any asbestos-containing waste material that has been deposited at a waste disposal site and is covered. If the excavation will begin on a date other than the one contained in the original notice, notice of the new start date must be provided to the Administrator at least 10 working days before excavation begins and in no event shall excavation begin earlier than the date specified in the original notification. Including the following information in the notice:

[40 CFR § 61.154(j)]

(i) Scheduled starting and completion dates.

[40 CFR § 61.154(j)(1)]

(ii) Reason for distributing the waste.

[40 CFR § 61.154(j)(2)]

(iii) Procedures to be used to control emissions during the excavation, storage, transport, and ultimate disposal of the excavated asbestos-containing waste material. If deemed necessary, the Director may require changes in the emission control procedures to be used.

[40 CFR § 61.154(j)(3)]

(iv) Location of any temporary storage site and the final disposal site.

[40 CFR § 61.154(j)(4)]

### C. Reporting

Receipt, handling and disposal of asbestos containing waste received from sources covered by 40 CFR § 61.159 (asbestos mills), 40 CFR § 61.150 (demolition, renovation, fabricating and manufacturing), or 40 CFR § 61.155 (asbestos conversion operations) must meet the following standards:

[40 CFR § 61.154]

1. If Permittee discovers improperly enclosed or uncovered asbestos-containing waste materials, or any asbestos-containing waste material not sealed in leak-tight containers, Permittee shall by the following working day report in writing to the Director, as well as to any additional local or EPA Regional Office responsible for administering the asbestos NESHAP program for the waste generator, reporting the incident and submitting a copy of the waste shipment record.  
[40 CFR §61.154(e)(1)(iv)]
2. If Permittee discovers a discrepancy between the quantity of waste designated on the waste shipment records and the quantity actually received, Permittee shall attempt to reconcile the discrepancy with the waste generator. If the discrepancy is not resolved within 15 days after receiving the waste, Permittee shall immediately report in writing to the Director, as well as to any additional local, State, or EPA Regional Office responsible for administering the asbestos NESHAP program for the waste generator, describing the discrepancy, the attempts to reconcile the discrepancy, and submit an accompanying copy of the waste shipment record.  
[40 CFR §61.154(e)(1)(v)(3)]
3. Within 60 days of a site becoming inactive Permittee will record a notation on the deed to the facility property and on any other instrument that would normally be examined during a title search; this notation will in perpetuity notify any potential purchaser of the property that:  
[40 CFR §61.151(e)]
  - a. The land has been used for the disposal of asbestos-containing waste material;  
[40 CFR §61.151(e)(1)]
  - b. The survey plot and record of the location and the quantity of asbestos containing waste disposed of within the disposal site required in Section IX.B.2 have been filed with the Director.  
[40 CFR §61.151(e)(2)]

## **X. NON-POINT SOURCES**

### **A. Opacity and Particulate Matter Standards**

1. Emission Standards  
[A.A.C. R18-2-604, -605, -606, -607, and -610]
  - a. The Permittee shall not cause, allow or permit visible emissions from any non-point source to have an opacity in excess of 40% as measured by EPA Reference Method 9.  
[A.A.C. R18-2-610]
  - b. The Permittee shall not cause, allow, or permit waste refuse loading and unloading, or daily cover excavation that results in significant amounts of airborne dust without taking reasonable precautions to prevent excessive amounts of particulate matter from becoming airborne. Reasonable precautions are defined in Section X.A.2.  
[A.A.C. R18-2-606]
  - c. The Permittee shall not cause, suffer, allow or permit the use, repair, construction, reconstruction of a roadway or alley without taking reasonable precautions to prevent particulate matter from becoming airborne. Reasonable precautions are defined in Section X.A.2.  
[A.A.C. R18-2-605.A]

d. The Permittee shall not cause, suffer, allow or permit transportation of materials likely to give rise to airborne dust without taking reasonable precautions to prevent particulate matter from becoming airborne. Earth or other material that is deposited by trucking earth moving equipment shall be removed from paved streets by the person responsible for such deposits. Reasonable precautions are defined in Section X.A.2. [A.A.C. R18-2-605.B]

e. The Permittee shall not cause, allow, or permit organic or inorganic dust producing material to be stacked, piled, or otherwise stored without taking reasonable precautions. Reasonable precautions are defined in Section X.A.2. [A.A.C. R18-2-607.A]

f. Stacking and reclaiming machinery utilized at the storage piles shall be operated at all times either with a minimum fall of material or with the use of spray bars/wetting agents, to prevent excessive amounts of particulate matter from becoming airborne. [A.A.C. R18-2-607.B]

g. Unless authorized by a separate permit, open burning shall be prohibited. [A.A.C. R18-2-602]

## 2. Air Pollution Controls

The following requirements are reasonable precautions in accordance with A.A.C. R18-2-306.A.2.d.

a. The following shall be considered reasonable precautions for roadways and yard areas:

- (i) Temporary paving,
- (ii) Using dust suppressants,
- (iii) Wetting,
- (iv) Detouring,
- (v) Adhesive soil stabilizing,
- (vi) Paving,
- (vii) Covering,
- (viii) Landscaping,
- (ix) Barring access or,
- (x) Other practices approved by the Director.

b. The following shall be considered reasonable precaution for landfill daily covers:

- (i) Chemical stabilization,
- (ii) Revegetation,
- (iii) Hydro-seeding,
- (iv) Maximizing wet surface area,
- (v) Utilizing native rock/soil or,
- (vi) Other practices approved by the Director.

## 3. Monitoring/Recordkeeping/ Reporting

- a. Within 90 days of issuance of this permit, Permittee shall submit a visual observation plan for Department's approval. The observation plan shall identify a central lookout station or multiple observation points, as appropriate, from where the non-point source opacity will be monitored. When multiple observation points are used, all the non-point sources associated with each observation point shall be specifically identified within the plan. [A.A.C. R18-2-306.A.3.b]
- b. A certified Method 9 observer shall conduct a bi-weekly (every other week) visual survey of visible emissions from the non-point sources in accordance with the observation plan. Permittee shall keep record of the name of the observer, the date on which the observation was made, and the results of the observation. [A.A.C. R18-2-306.A.3.b]
- c. If the observer sees a plume from a non-point source that on an instantaneous basis appears to exceed 40%, then the observer shall if possible take a six-minute Method 9 observation of the plume. [A.A.C. R18-2-306.A.3.b]
- (i). If the six-minute opacity of the plume exceeds 40%, then the Permittee shall do the following:
- (a) Take appropriate action including adjustment and repair of the controls or equipment to reduce opacity to below 40%; and [A.A.C. R18-2-306.A.3.b]
- (b) Report it as an excess emission under Section XIIA of Attachment "A". [A.A.C. R18-2-306.A.3.b]
- (ii). If the six minute opacity of the plume is less than 40%, the observer shall make a record of the following:
- (a) Location, date, and time of the test; and [A.A.C. R18-2-306.A.3.b]
- (b) The result of the Method 9 observation. [A.A.C. R18-2-306.A.3.b]
- d. Any changes to the observation plan, originally approved by the Department, shall be made only with the prior approval of the Director. [A.A.C. R18-2-306.A.3.b]
- e. If the Permittee chooses to use water as a wetting agent, then the Permittee shall operate water trucks on a daily basis to control fugitive dust from haul roads. If water trucks are not operated on a certain day, then Permittee shall record the date and the reason for not operating the water truck. [A.A.C. R18-2-306.A.3.b]

## **XI. GENERATORS**

### **A. Opacity and Particulate Matter**

1. The Permittee shall not cause, allow or permit the emissions of particulate matter, caused by combustion of fuel, from any stationary rotating machinery to exceed the amount calculated by one of the following equations: [A.A.C.R18-2-719.C]

- a. For equipment having a heat input rate of 4200 million Btu per hour or less, the maximum allowable emissions shall be determined by the following equation;

$$E=1.02Q^{0.769}$$

where;

E=The maximum allowable particulate emissions rate in pounds-mass per hour.

Q=The heat input in million Btu per hour.

- b. For equipment having a heat input rate greater than 4200 million Btu per hour, the maximum allowable emissions shall be determined by the following equation;

$$E=17.0Q^{0.432}$$

E=The maximum allowable particulate emissions rate in pounds-mass per hour.

Q=The heat input in million Btu per hour.

2. The Permittee shall not cause, allow, or permit to be emitted into the atmosphere from any stationary rotating machinery, smoke for any period greater than 10 consecutive seconds which exceeds 40% opacity. Visible emissions when starting cold equipment shall be exempt from this requirement for the first 10 minutes. [A.A.C.R18-2-719.E]

3. The Permittee shall burn either natural gas, propane, or diesel in the emergency generator(s).

[A.A.C.R18-2-306.A.2]

## **XII. MOBILE SOURCES**

The requirements of this Section are applicable to mobile sources which either move while emitting air contaminants or are frequently moved during the course of their utilization but are not classified as motor vehicles, agricultural vehicles, or agricultural equipment used in normal farm operations. Mobile sources shall not include portable sources as defined in A.A.C. R18-2-101.84. [A.A.C.R18-2-801]

### **A. Opacity Standards**

1. No mobile source shall emit smoke or dust, the opacity of which exceeds 40 percent as determined by EPA Reference Method 9. [A.A.C. R18-2-801.A]
2. The Permittee shall not cause, allow, or permit to be emitted into the atmosphere from any off-road machinery, smoke for any period greater than ten consecutive seconds, the opacity of which exceeds

40 percent. Visible emissions when starting cold equipment shall be exempt from this requirement for the first ten minutes. Off-road machinery shall include trucks, graders, scrapers, rollers, and other construction and mining machinery not normally driven on a completed public roadway.

[A.A.C.R18-2-802]

3. The Permittee shall not cause, allow, or permit to be emitted into the atmosphere from any roadway or site cleaning machinery either smoke or dust for any period greater than ten consecutive seconds, the opacity of which exceeds 40 percent. Visible emissions when starting cold equipment shall be exempt from this requirement for the first ten minutes.

[A.A.C.R18-2-804.A]

4. The Permittee shall not cause, allow or permit the cleaning of any site or roadway without taking reasonable precautions to prevent particulate matter from becoming airborne. A reasonable precaution may include applying dust suppressant. Earth or other material shall be removed from paved streets onto which earth or other material has been transported by truck or earth moving equipment, erosion by water or by other means.

[A.A.C. R18-2-804.B]

#### B. Monitoring, Reporting, and Recordkeeping

The Permittee shall keep a record of all emission related maintenance activities, as per manufacturers specifications, performed on Permittee's mobile sources utilized within the source's property boundaries.

[A.A.C. R18-2-306.A.3.b]

### XIII. OTHER PERIODIC ACTIVITIES

#### A. Use of Paints

##### 1. Opacity of Visible Emissions

Visible emissions from spray painting operations shall not have an opacity greater than 40%, measured in accordance with EPA Reference Method 9.

[A.A.C. R18-2-702.B]

##### 2. Volatile Organic Compounds

###### a. Emission Limitations/Standards

While performing spray painting operations the Permittee shall comply with the following requirements:

- (i) The Permittee shall not conduct any spray painting operation without minimizing organic solvent emissions. Such operations other than architectural coating and spot painting, shall be conducted in an enclosed area equipped with controls containing no less than 96 percent of the overspray.

[A.A.C.R18-2-727.A]

(ii) The Permittee shall not :

(a) Employ, apply, evaporate or dry any architectural coating containing photochemically reactive solvents for industrial or commercial purposes; or

[A.A.C.R18-2-727.B.1]

(b) Thin or dilute any architectural coating with a photochemically reactive solvent.

[A.A.C.R18-2-727.B.2]

(iii) For the purposes of parts (ii) and (v) of this condition, a photochemically reactive solvent shall be any solvent with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified in paragraphs (a) through (c) of this subsection, or which exceeds any of the following percentage composition limitations, referred to the total volume of solvent:

[A.A.C.R18-2-727.C]

(a) A combination of the following types of compounds having an olefinic or cyclo-olefinic type of unsaturation-hydrocarbons, alcohols, aldehydes, esters, ethers, or ketones: 5 percent.

[A.A.C.R18-2-727.C.1]

(b) A combination of aromatic compounds with eight or more carbon atoms to the molecule except ethyl benzene: 8 percent.

[A.A.C.R18-2-727.C.2]

(c) A combination of ethyl benzene, ketones having branched hydrocarbon structures, trichloroethylene or toluene: 20 percent.

[A.A.C.R18-2-727.C.3]

(iv) Whenever any organic solvent or any constituent of an organic solvent may be classified from its chemical structure into more than one of the groups or organic compounds described in subsection (iii)(a) through (iii)(c) of this condition, it shall be considered to be a member of the group having the least allowable percent of the total volume of solvents.

[A.A.C.R18-2-727.D]

(v) The Permittee shall not dispose by evaporation more than 1.5 gallons of photochemically reactive solvent in any one day.

[SIP Provision R9-3-527.C]

b. Monitoring, Recordkeeping, and Reporting Requirements

(i) Each time a spray painting project is conducted, the Permittee shall log in ink or in an electronic format, a record of the following:

[A.A.C.R18-2-306.A.3.b]

(a) The date the project was conducted;

[A.A.C.R18-2-306.A.3.b]

(b) The duration of the project;

[A.A.C.R18-2-306.A.3.b]

(c) Type of control measures employed; and

[A.A.C.R18-2-306.A.3.b]

(d) Material Safety Data Sheets for all paints and solvents used in the project.

[A.A.C.R18-2-306.A.3.b]

(ii) Architectural coating and spot painting projects shall be exempt from the recordkeeping requirements of part (i) above.

#### B. Demolition/Renovation

##### 1. Emission Limitations/Standards

The Permittee shall comply with the applicable requirements of 40 CFR §61, Subpart M (National Emissions Standards for Hazardous Air Pollutants - Asbestos).

[A.A.C.R18-2-1101.A.8]

##### 2. Monitoring, Recordkeeping, and Reporting Requirements

The Permittee shall keep all required records in a file. The required records include the “NESHAP Notification for Renovation and Demolition Activities” form and all supporting documents.

#### **XIV. FACILITY-WIDE REQUIREMENTS**

A. Within 180 days of issuance of this permit the owner or operator shall have on staff a person that is certified in EPA Reference Method 9.

[A.A.C. R18-2-306.A.3]

B. At the time the compliance certifications required by Section VII of Attachment "A" are submitted, the Permittee shall submit reports of all monitoring activities required by Section VI of this Attachment during the period for which the compliance certifications are submitted.

[A.A.C. R18-2-306.A.5.a]

#### **XV. STRATOSPHERIC OZONE**

[40 CFR §82]

If the Permittee becomes subject to 40 CFR §82, then the Permittee shall comply with the provisions specified in the 40 CFR part 82 and keep all records required by the applicable requirements of 40 CFR §82 - Subpart F in a file.



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## **ATTACHMENT "C": APPLICABLE REQUIREMENTS**

Air Quality Control Permit No. 1000734  
For  
**Copper Mountain Landfill**

The following permit conditions for this Class I permit, which are based on these applicable requirements, shall be federally enforceable unless specifically designated as not being federally enforceable under the Act.

A. Code of Federal Regulations, Title 40 (40 CFR)

1. §40 CFR §60, Subpart A, General Provisions
2. §40 CFR §60, Subpart WWW, Standards of Performance for Municipal Solid Waste Landfills
  - § 60.750 Applicability, designation of affected facility, and delegation of authority
  - § 60.751 Definitions
  - § 60.752 Standards for air emissions from municipal solid waste landfills
  - § 60.753 Operational standards for collection and control systems
  - § 60.754 Test methods and procedures
  - § 60.755 Compliance provisions
  - § 60.756 Monitoring of operations
  - § 60.757 Reporting requirements
  - § 60.758 Recordkeeping requirements
  - § 60.759 Specifications for an active collection systems
3. 40 CFR §82, Subpart F - Recycling and Emissions Reduction; regulations pertaining to use and handling of ozone-depleting substances
4. 40 CFR §61, Subpart A, General Provisions
5. 40 CFR §61, Subpart M, National Emission Standard for Asbestos §61.154, Standard for active waste disposal sites

B. Arizona Administrative Code, Title 18, Chapter 2 (A.A.C. R18-2)

1. Article 3- Permits and Permit Revisions
  - a. R18-2-306, Permit Contents
  - b. R18-2-310, Excess Emissions
  - c. R18-2-325, Permit Shield
  - d. R18-2-331, Material Permit Conditions

2. Article 6 - Emissions from Existing and New Non-point Sources

- a. R18-2-604, Open Areas, Dry Washes or Riverbeds
- b. R18-2-605, Roadways and Streets
- c. R18-2-606, Material Handling
- d. R18-2-607, Storage Piles
- e. R18-2-610, Evaluation of Non-point Source Emissions

3. Article 7 - Existing Stationary Source Performance Standards

- a. R18-2-701, Definitions
- b. R18-2-702, General Provisions
- c. R18-2-719, Standards of Performance for Existing Stationary Rotating Machinery
- d. R18-2-727, Standards of Performance for Spray Painting Operations
- e. R18-2-730, Standards of Performance for Unclassified Sources

4. Article 8 - Emissions from Mobile Sources (New and Existing)

- a. R18-2-801, Classification of Mobile Sources
- b. R18-2-802, Off-road Machinery
- c. R18-2-804, Roadway and Site Cleaning Machinery

5. Article 9 - New Source Performance Standards

- a. R18-2-901.1 General Provisions (incorporates by reference 40 CFR §60, New Source Performance Standards, Subpart A and all accompanying appendices adopted as of July 1, 1996)
- b. R18-2-901.73 Subpart WWW, Municipal Solid Waste Landfills (incorporates by reference 40 CFR §60, New Source Performance Standards, Subpart WWW and all accompanying appendices adopted as of July 1, 1996)
- c. R18-2-902, General Provisions

6. Article 11 - Federal Hazardous Air Pollutants

- R18-2-1101.A.8 Subpart M, Asbestos (incorporates by reference 40 CFR §61, National Emission Standards for Hazardous Pollutants, Subpart M and all accompanying appendices adopted as of July 1, 1996)

C. State Implementation Plan (SIP Provision)

R9-3-527.C

**ATTACHMENT "D": INSIGNIFICANT ACTIVITIES**

Air Quality Control Permit No. 1000734  
For  
**Copper Mountain Landfill**

No.	POTENTIAL EMISSION POINTS CLASSIFIED AS “INSIGNIFICANT ACTIVITIES” PURSUANT TO A.A.C. R18-2-101.54
1	Three diesel powered, 11.9 brake-horsepower, light plant engines used to illuminate the facility.
2	4.5 brake-horsepower gasoline-powered pressure sprayer
3	16 brake-horsepower gasoline-powered generator used to power the leachate pump and welder.
4	115 brake horsepower, diesel powered tipper engine used for the removal of waste from transfer trailers
5	One 2100-gallons diesel tank and two 250-gallons oil storage tanks.
6	Leachate evaporation pond

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## ATTACHMENT "E": REPORTING FORMAT FOR WASTE DISPOSAL SITE

Air Quality Control Permit No. 1000734

For

### Copper Mountain Landfill

#### A. SOURCE INFORMATION

1. **Identification/Location** - Indicate the name and address of source:

Source Name: \_\_\_\_\_

Street Address (Location): \_\_\_\_\_

City Name/State/Zip Code: \_\_\_\_\_

State Registration Number: \_\_\_\_\_ SIC \_\_\_\_\_

2. **Contact** - Indicate the name and telephone number of the owner or operator or other responsible official whom EPA may contact concerning this report.

Name: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

3. **Source Description** - Briefly state the nature of the source (e.g., Waste Disposal Site)

Description: \_\_\_\_\_

4. **Alternative Mailing Address** - Indicate an alternative mailing address if correspondence is to be directed to a location different than that specified above.

Street or Box Number: \_\_\_\_\_

City/State/Zip Code: \_\_\_\_\_

5. **Compliance Status** - The emissions from this source \_\_\_\_can \_\_\_\_cannot meet the emission limitations contained in the National Emission Standards on or prior to 90 days after the effective date of any standards or amendments which require the submission of such information.

\_\_\_\_\_  
Signature of Owner, Operator or Other Responsible Official

\_\_\_\_\_  
Date

Note: If the emissions from the source will exceed those limits set by the National Emission Standards for Hazardous Air Pollutants, the source will be in violation and subject to Federal enforcement actions unless granted a waiver of compliance by the Administrator of U.S. EPA.

## ASBESTOS WASTE DISPOSAL SITE

1. **Description** - Provide a brief description of the site, including its size and configuration, and the distance to the closest city or town, closest residence, and closest primary road.

### DISTANCE TO:

TOWN: \_\_\_\_\_ KILOMETERS

RESIDENCE: \_\_\_\_\_ KILOMETERS

PRIMARY ROAD: \_\_\_\_\_ KILOMETERS

2. **Inactivation** - After the site is inactivated, indicate the method or methods used to comply with the standard and send a list of the actions that will be undertaken to maintain the inactivated site.

### COMPLIANCE METHOD/INACTIVE SITE:

#### Regional Offices to Submit Report to:

U.S. EPA Region IX  
NESHAP Coordinator  
Attn: Bob Trotter (A-3-3)  
75 Hawthorne Street  
San Francisco, CA 94105  
(415) 744-1145

Arizona DEQ/AQD  
NESHAP Coordinator  
Attn: Jon D. Marting  
3033 N. Central Avenue (T5109B)  
Phoenix, AZ 85012  
(602) 207-2333